

MEMORANDUM

Agenda Item No. 11(A) (23)

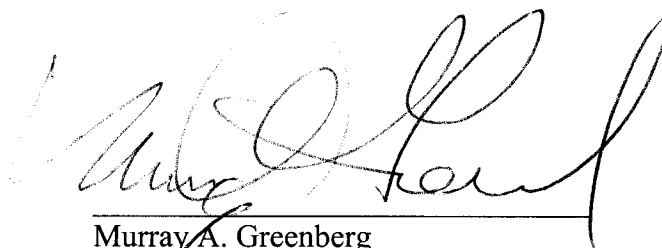
TO: Honorable Chairman Joe A. Martinez
and Members, Board of County Commissioners

DATE: June 6, 2006

FROM: Murray A. Greenberg
County Attorney

SUBJECT: Resolution directing County
Manager to study whether
Miami-Dade Police Dept.
should be involved in
enforcement of violations
of Uniform Fire Code
pertaining to barbecuing in
multi-family residential
units

The accompanying resolution was prepared and placed on the agenda at the request of Senator Javier D. Souto.


Murray A. Greenberg
County Attorney

MAG/bw



MEMORANDUM

(Revised)

TO: Honorable Chairman Joe A. Martinez
and Members, Board of County Commissioners

DATE: June 6, 2006

FROM: Murray A. Greenberg
County Attorney

SUBJECT: Agenda Item No. 11(A) (23)

Please note any items checked.

- _____ "4-Day Rule" ("3-Day Rule" for committees) applicable if raised
- _____ 6 weeks required between first reading and public hearing
- _____ 4 weeks notification to municipal officials required prior to public hearing
- _____ Decreases revenues or increases expenditures without balancing budget
- _____ Budget required
- _____ Statement of fiscal impact required
- _____ Bid waiver requiring County Manager's written recommendation
- _____ Ordinance creating a new board requires detailed County Manager's report for public hearing
- _____ Housekeeping item (no policy decision required)
- _____ No committee review

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 11 (A) (23)
6-6-06

RESOLUTION NO. _____

**RESOLUTION DIRECTING COUNTY MANAGER TO
STUDY WHETHER THE MIAMI-DADE POLICE
DEPARTMENT SHOULD BE ACTIVELY INVOLVED IN
THE ENFORCEMENT OF VIOLATIONS OF THE
UNIFORM FIRE CODE PERTAINING TO BARBECUING
IN MULTI-FAMILY RESIDENTIAL UNITS**

WHEREAS, it has come to this Board's attention that some residents and/or owners of apartments located in multi-family units use gas fire grills, hibachis, charcoal grills or other similar devices to cook and/or heat which is a violation of both the Uniform Fire Code and are criminal violations under Florida Law; and

WHEREAS, this Board recognizes this practice is extremely dangerous as it is both a fire hazard as well as a threat to the life and safety of individuals who may be exposed to the dangerous emissions generated by these devices; and

WHEREAS, currently individuals who complain to the Miami-Dade County Police Department of these violations are referred by them to the Miami-Dade Fire Department to handle their complaints and the Miami-Dade Police takes no further action; and

WHEREAS, Miami-Dade Fire Department has limited enforcement authority and no arrest powers which handicaps their ability to adequately and promptly enforce these violations; and

WHEREAS, these dangerous practices require immediate attention which this Board feels is better handled by the direct involvement of the Miami-Dade Police Department in cooperation with the Miami-Dade Fire Department,

NOW, THEREFORE BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY that the County Manager is hereby authorized and directed to study whether the Miami-Dade County Police Department should be actively involved in the enforcement of the laws pertaining to barbecuing in multi-family residential units; and further the County Manager is directed to report back to this Commission within sixty (60) days with his findings and recommendations.

The foregoing resolution was sponsored by Senator Javier D. Souto and was offered by Commissioner _____, who moved its adoption. The motion was seconded by Commissioner _____ and the vote was as follows:

Joe A. Martinez, Chairman	
Dennis C. Moss, Vice-Chairman	
Bruno A. Barreiro	Jose "Pepe" Diaz
Audrey M. Edmonson	Carlos A. Gimenez
Sally A. Heyman	Barbara J. Jordan
Dorin D. Rolle	Natacha Seijas
Katy Sorenson	Rebeca Sosa
Sen. Javier D. Souto	

The Chairperson thereupon declared the resolution duly passed and adopted this 6th day of June, 2006. This resolution shall become effective ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

Approved by County Attorney K3.D
As to form and legal sufficiency

Kenneth B. Drucker

By: _____
Deputy Clerk

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